

THE SEWER BOARD OF THE CITY OF NEW ALBANY, INDIANA HELD A MEETING IN THE 3RD FLOOR ASSEMBLY ROOM OF THE CITY/COUNTY BUILDING, NEW ALBANY, INDIANA ON TUESDAY, MARCH 21, 2006 AT 3:30 P.M.

PRESENT: Chairman Mayor James Garner, Vice Chairman Bill Utz, Mark Seabrook, Todd Solomon and Larry Kochert.

OTHERS: Attorney Greg Fifer, Brian Dixon, EMC, Tina Haley, and City Clerk Marcey Wisman.

CALL TO ORDER:

Mayor Garner called the meeting to order as 3:42 p.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Utz moved to approve the minutes of March 7, 2006, Mr. Solomon second, all voted in favor.

COMMUNICATIONS - PUBLIC:

Tim Hunt, MEKA, submitted the easement plat for their line to the Lafollette Station line to Brian Dixon.

Pat O'Rear, 132 Edgemont Drive, experienced sewage back-up into his basement in December and January and again on the 12th of March and that each time it happens it gets worse. He stated that his basement is finished and this is the first time he has ever had a problem. He needs to know what needs to be done.

Brian Dixon reported that he was out there this month and he suggested that he install a back flow valve on his line because he does not know what is causing the problem. He stated that he would need to TV the line to know what is causing the back-ups.

Dave Creps, 201 Edgemont, stated that March 12th is the first time that they have ever had back-up problems. He stated that water was coming out of the drain plate and up out of the toilet. He informed them that there was also a manhole that was bubbling over. He wanted to know if he was supposed to pay for a company to come out to pull the carpet and then file a claim.

Mr. Fifer stated that if it is determined that the city was at fault for the back-up, then a claim has to be filed and the property owner has to provide a letter from their insurance company showing that they do not have coverage for this situation.

Mr. Creps asked if he could also get an up-date of the situation regarding the lift station on his property.

Mr. Fifer stated that Mr. Creps is the individual who has a lift station on his property and there are issues with the decorative screening for the station and the grass to cover where the work was done.

There was a lengthy discussion regarding the work that was done and what was left undone and whether or not the city should have to black top his driveway.

Mayor Garner stated that Mr. Fifer would look into the contract and get back with him. He also asked Mr. O'Rear to call Mr. Dixon with the other two dates for the December and January back-ups.

Mr. Seabrook asked why the city always has to follow up and pay for items that should

have been done by the contractors.

COMMUNICATIONS - CITY OFFICIALS

Ms. Wisman stated that Susan Johnson had called and asked whether or not they had received a response from the EPA.

Mr. Fifer responded that they had not heard from the EPA but they were expecting to hear something by the beginning of next week.

OLD BUSINESS:

Item #1 - Laura Arnold, Country Club, re: adjustment request.

This item was tabled due to Mrs. Welsh not being at the meeting.

Item #2 - Kelly Welsh re: Janus Partners sewer adjustment

This item was tabled due to Mrs. Welsh not being at the meeting.

NEW BUSINESS:

Item #1 - John Walling, Koetter Development re: Main Plant Expansion for Hitachi

Mr. Walling stated that they need an additional 1000 credits for this plant expansion but it is not as pressing as the project on Earnings Way which is the next item on the agenda.

Item #2 - John Walling, Koetter Development re: request for approval to relocate construction of new bathroom facility.

Mr. Walling stated that this is a building in the industrial park and they would like to relocate 25 employees from the main Hitachi Plant to this building. However, the number of bathroom facilities need to be up-graded for the increased capacity.

There was a lengthy discussion regarding the expansion needs of Hitachi within the next six months.

Tina Haley reported that she has sent a letter to IDEM to ask that the need for 500 credits for the additional bathrooms be waived. However, she would like to go ahead and put them on the list for 500 credits until they hear back from IDEM.

There was a lengthy discussion regarding the lack of credits that the city has to offer at this time.

Mr. Seabrook stated that if Tina is going to hear back from IDEM tomorrow he would be in favor of having a special meeting to make a decision on this.

Mr. Fifer explained the negotiations that are going on currently with the EPA to Mr. Walling.

Item #3 - Jason Meyer, 508 Spring Hill, re: sewer issues

Mr. Meyer could not make to the meeting.

Mayor Garner stated that Mr. Meyer believes that the city should pay for him to connect to the sewer line.

Mr. Dixon stated that he has looked into this situation and has plans for Mr. Meyer to connect to the line using a grinder pump.

Mr. Seabrook thanked Tina for the list she gave of the inner-city credit requests and

asked if there is a plan to meet with the developers to explain to them what is going on and allow them a chance to ask questions.

There was a lengthy discussion regarding making sure the credits are allocated in a fair manner and whether or not there is a need for a special meeting with the contractors to see who needs immediate credits.

Mayor Garner asked Tina for a complete list of requested sewer credits at the next meeting.

Tina Haley stated that she would like a decision on the credit request from the Social Security Office and O'Reilly Auto Parts in the amount of 420 credits.

Mr. Seabrook moved to approve credits for the Social Security Office and O'Reilly Auto Parts, Mr. Kochert second, all voted in favor.

EMC REPORT:

Mr. Dixon stated that he passed out a memo to the Board on the Janie Lane back-ups and also two properties at 310 and 312 East Market Street which is on file with the City Clerk's office. He stated that on the two Main Street properties he is merely reporting this; he is not making a recommendation as to how to correct the problem.

There was a lengthy discussion as to the history of this property and the reason the city did not correct this in the past.

Mr. Seabrook stated that he does not believe that the city should have to foot the expense for this and that either the Health Department or the City's Building Commissioner should deem it uninhabitable.

Mr. Dixon will contact the Health Department and contact Kelly Welsh about the billing.

Dale Tekippe and Wes Christmas, Clark Deitz, gave an up-date on the Robert E. Lee Project up-grades.

Mr. Tekippe stated that the section of line between the station and Georgetown fills up with river water when the river is up and the station has to be turned off during those times and that correcting this is the most pressing step of the project. He also passed out a schedule of the project showing that the entire project should be finished by the end of 2007 with the interceptor project being finished by the end of the year.

Mr. Seabrook asked if any of this takes into consideration what is coming in from Eagles Lane.

Mr. Dixon reported that they have installed flow meters at the split at Eagles Lane but he does not have the readings today.

There was a lengthy discussion regarding whether the Robert E. Lee interceptor should be completed prior to the Basin 4 interceptor.

Mr. Fifer stated that we need to have a flow meter installed as close to the Robert E. Lee Lift station to meet the requirements of the EPA's Memorandum of Understanding.

Mr. Christmas reported on the permits that he has applied for and received in order to get started on the project. He stated that he is on the agenda for the County Commissioner's meeting to request the required labor rate hearing.

Mr. Fifer asked if we have all the easements needed for the project.

Mr. Christmas stated that they will stay within the existing easement which is rather large.

Mr. Fifer recommended that the board approve the bid process to move forward subject to

Mr. Seabrook moved to progress with the bid process, Mr. Solomon second, all voted in favor.

Mr. Tekippe presented a memo on the Construction cost trends to give the board a heads up that the bids on going to start going up.

CLAIMS:

Mr. Dixon presented the following claims:

Edward McCabe, claim in the amount of \$6,550.98 for a back up caused by the Chapel Creek lift station losing power.

Mr. Kochert asked if the house was built before or after the ordinance requiring the back flow preventor being installed on all laterals in this area.

Mr. Seabrook stated that they should have an ordinance requiring anyone who has one claim must have a back flow preventor installed so that the city is not paying over and over again.

Mr. Kochert made a motion to pay Mr. McCabe's claim with the stipulation that the property owner must install a back flow preventor to prevent any subsequent back ups, Mr. Seabrook second, all voted in favor

Family Health Center, claim in the amount of

The board denied their claim due to the city was not negligent and they should install a back flow preventor

Mr. Fifer stated that Mr. Gibson has received notice of liens being collected on _____ properties. He also reported that Kay Garry has presented him with a letter from _____ as trustee for a \$400 yearly fee (LISTEN to TAPE)

Mr. Solomon moved to approve the payment of the \$400 yearly fee, Mr. Kochert second, all voted in favor.

ADJOURNMENT:

There being no further business before the Sewer Board, the meeting adjourned at 5:27 p.m.

Respectfully submitted,

Mayor James Garner, Chairman

Marcey Wisman, City Clerk